



State of Utah

Department of
Environmental Quality

Richard W. Sprott.
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

Water Quality Board
Joe Piccolo, *Chair*
Paula Doughty, *Vice-Chair*
David F. Echols
Darrell H. Mensel
LeLand J. Myers
Richard W. Sprott
Jay Ivan Olsen
Gregory L. Rowley
Steven P. Simpson
Merritt K. Frey
Daniel C. Snarr
Walter L. Baker,
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

MINUTES

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD**

288 North 1460 West
Salt Lake City, Utah 84116
Friday, June 15, 2007

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Paula Doughty	Jay Olsen
Dave Echols	Joe Piccolo
Leland Myers	Gregory Rowley
Steve Simpson	Daniel Snarr

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Faye Bell, Harry Judd, Ed Macauley, Emily Canton Beth Wondimu, Beth Wondimu, John Whitehead, Rob Herbert, Bill Moellmer, Paul Krauth, Nicole Carrell, Shelly Quick,

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Carson Howell	GOPB
Orlando La Fontaine	East Carbon City
Lee Bracket	Enterprise City
Joe Phillips	Sunrise Engineering
Jeff DenBleyker	CH2M Hill
Phil Wright	Local Health Departments
Fred Nelson	Attorney General Office
Doug Stipes	Swift & Company
Janae Wallace	Utah Geological Survey
Mike Lowe	Utah Geological Survey

Chair Piccolo called the Board meeting to order at 10:10 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE MAY 18, 2007 MEETING

Motion: It was moved by Mr. Myers and seconded by Mr. Echols to approve the minutes of the May 18, 2007 Board meeting. The motion was unanimously approved.

Green Friendly: Sonja Wallace gave the Board a presentation on a new campaign to educate ways on preventing pollution. She explained that the goal is to get DEQ Green friendly by using more recycled products both at work and at home. Each member was given an Energy Star Compact Fluorescent light bulb, explaining the advantage of using these bulbs instead of the old one. These light bulbs use 2/3 less energy and lasts at least 6 times longer.

Elections of Board Chair and Vice Chair: Walt Baker explained that the rules require us to annually hold elections for Board Chair and Vice Chair.

Motion: It was moved by Mr. Myers and seconded by Mr. Snarr to re-elect Mayor Piccolo as Chair and Paula Doughty as Vice Chair. The motion was unanimously approved.

Introductions of new staff: Mr. Baker introduced to the Board two new DEQ staff members. Lisa Nelson, who is an engineer, works in the Engineering Section under Ed Macauley. Nicole Carrell works as a Financial Analyst under Stacy Carroll.

Executive Secretary's Report: Mr. Baker updated the Board on some recent activities in the department. Dianne Nielson has accepted a position in the Governor's office as the State's new Energy Advisor. Richard W. Sprott, formerly the Director of the Division of Air Quality has been appointed as the new Executive director of DEQ. Mr. Sprott will also be replacing Ms. Nielson on the Water Quality Board.

A replacement on the Board for Dr. Kochenour, representing wildlife and recreation interests, is being pursued.

The storm water program has grown to the point there is a shortage of staff to meet the work demands. Tom Rushing, the storm water program lead, transferred from the Division of Water Quality to the Division of Radiation Control. A recruitment is underway.

A mega-TMDL is being done on Jordan River, Utah Lake, some on the Great Salt Lake and Farmington Bay.

LOAN PROGRAM

Financial Assistance Status Report – Ms. Canton updated the Board on the “Summary of Assistance Program Funds” as outlined on page 2.1.

Approval of the FY 2008 Project Priority List and Intended Use Plan: Ms. Canton presented a request to approve the Utah Wastewater Project Priority List (PPL) and the 2008 Intended Use Plan (IUP), pending any comments received by the public. Historically, the Division of Water

Quality has never received substantial public comment on these documents. The EPA requires holding a public comment period as a condition of funding the State Revolving Fund (SRF).

Motion: **It was moved by Ms. Doughty and seconded by Mr. Simpson to approve staff's request to approve the 2008 IUP and PPL pending public comment. The motion was unanimously approved.**

East Carbon City Loan: Mr. Macauley explained that due to the complicated nature of the master indenture used to secure the original state loans, East Carbon City still has not closed on the 2007 State loans to restructure its debt, although it would likely occur within the next 30 days. Between the date of East Carbon's last payment to the Water Quality Board on July 1, 2006 and authorization on November 17, 2006, interest in the amount of \$18,620.29 had accrued. By the time that loan closing occurs, the amount of accrued interest will increase to approximately \$49,000 on the 1995 Water Quality Board loan. Staff recommended that the Board waive all interest accrued on the 1995 loan since the date of last payment on July 1, 2006, in concert with the other state agencies participating in the refinancing of East Carbon City's debt. This is in accord with *UAC R317-101-2(I)*. The Board is unable to forgive the applicant of any payment after the payment is due.

Motion: **It was moved by Mr. Myers and seconded by Ms. Doughty to approve East Carbon City's request to have the interest cease as of December 1, 2006, restarting upon the closing of the loan. The motion was unanimously approved.**

Introduction of Enterprise City Loan Request: Ms. Wondimu introduced Mayor Lee Bracken from Enterprise City and Joe Phillips with Sunrise Engineering. The City of Enterprise is requesting financial assistance in the amount of \$3,202,000 loan at an interest rate of 0% repayable over 20 years for upgrading the existing wastewater collection and treatment system to meet their current and future needs. Enterprise is experiencing rapid growth and is concerned with its long-term ability to meet the infrastructure demands that accompany such growth. Enterprise City has reached the design capacity of the existing lagoon system, which is now operating at an average of 90% of its theoretical hydraulic design capacity. Enterprise City needs to quickly increase its collection and wastewater treatment capacity in order to insure compliance with UPDES discharge permit requirements, and meet current and future demand. Building the third cell would allow the City to discharge properly treated effluent. This project is being presented as an introduction to the Water Quality Board at this time. Staff will present recommendations at a future Board meeting. The Mayor explained that the need for the project is not due to population growth, but rather, it is because of the improper design of the existing lagoon system that needed to be remodeled or replaced in order to meet the design capacity. The Mayor explained that the problem is not the growth, but rather, the need to have a third lagoon to be in compliance. Mr. Myers asked if the facility was presently in compliance and Mr. Krauth from DWQ responded that compliance was sporadic. Mr. Baker expressed a concern about the City being able to meet its permit limits if a third cell were built. His concern was that the facility may still have a problem meeting the BOD and TSS limits. He doesn't want Enterprise to end up meeting the intent of the requirement for a 3 cell system, yet still have a compliance problem. Mr. Myers thinks the Board shouldn't back off the 1.0% interest and that Enterprise should

increase its impact fees. Mayor Piccolo encouraged the Mayor to move forward because costs will only continue to go up.

OTHER BUSINESS

Request for Authorization to Conduct a Public Hearing for an Aquifer

Classification/Reclassification: Mr. Herbert explained to the Board that the Town of Castle Valley has submitted a petition to the Water Quality Board to classify/reclassify the ground water quality in Castle Valley, Grand County. Staff has reviewed the petition and supporting information and have determined that the criteria have been met. It was recommended that the Board initiate action for aquifer classification. Following Board approval, the Division of Water Quality staff will set a date for the receipt of comments at a public hearing in the county and issue the required public notice. After holding the public hearing staff will consider the comments that are received, and will return to the Board for the disposition of the classification/reclassification petition.

Motion: **It was moved by Mr. Olsen and seconded by Mayor Snarr to approve staff's request to initiate action for aquifer classification. The motion was unanimously approved.**

Discussion of Protection Levels for Selenium in Great Salt Lake: Mr. Moellmer presented to the Board information regarding the studies that are underway.

NEXT MEETING

At the DEQ Building #2 in Salt Lake City on September 21, 2007 in room 101
beginning at 9:00 a.m.

Joe Piccolo, Chairman
Utah Water Quality Board